



State of Nebraska

NEBRASKA EQUAL OPPORTUNITY COMMISSION

NEBRASKA EQUAL OPPORTUNITY COMMISSION MEETING OF FEBRUARY 15, 2013

Commissioner Jeffries called the meeting to order in Lincoln, Nebraska at 9:05 a.m. on February 15, 2013. It was established after a roll call that there was a quorum.

I. ROLL CALL

Commissioners Present

Royce Jeffries, Chairperson
Bette Trumble
Rita Griess

Kristin Yates, Vice Chairperson
Arnold Nesbitt
Eric Drumheller

Staff Present

Barbara Albers, Executive Director
Paula Gardner, Unit Director
Lisa Murphy, Investigator III

Gretchen Eure, Unit Director
Cat Souliere, Staff Assistant

II. AFFIDAVIT OF PUBLICATION

The Affidavit of Service from the Lincoln Journal Star was read to show that the public was made aware of the February 15, 2013 Commission meeting.

III. APPROVAL OF MINUTES

Commissioner Nesbitt moved to approve the January 18, 2013 Commission meeting minutes.

Commissioner Drumheller seconded the motion.

ROLL CALL:

Ayes: Nesbitt, Trumble, Drumheller, Jeffries, Yates,
Griess

Nayes:

Abstained:

Motion Carried

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Commissioner Nesbitt moved to approve February 1, 2013 Commission meeting minutes.
Commissioner Drumheller seconded the motion.

ROLL CALL: Ayes: Drumheller, Jeffries, Yates, Griess
 Nayes:
 Abstained: Nesbitt, Trumble
 Motion Carried

IV. ADDITIONS OR CORRECTIONS

Under Section VIII. SUCCESSFUL AGREEMENTS, please add NEB 2-12/13-9-2751-H.

Under Section IX. ADMINISTRATIVE ACTIONS, C. HUD CASES, please add
NEB 2-11/12-6-2729-H.

Under Section XIII. CIVIL ACTION, please add NEB 2-11/12-5-2716-H Hoff vs. Elsie Foos.

V. PUBLIC INPUT (Non Case)

Limit of 5 minutes per person for a total of a 30 minute session.

None at this meeting.

VI. INTRODUCTION TO PUBLIC INPUT (Agenda Cases)

The cases wherein a party to the case was present were moved to the front of the agenda under
Section VII. CASE DISPOSITIONS.

VII. CASE DISPOSITIONS

NEB 2-12/13-9-43339 (Respondent was present.)
Commissioner Griess moved for no reasonable cause.
Commissioner Nesbitt seconded the motion.

ROLL CALL: Ayes: Nesbitt, Trumble, Drumheller, Jeffries, Yates, Griess
 Nayes:
 Abstained:
 Motion Carried

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Commissioner Griess seconded the motion.

Commissioner Trumble seconded the motion.

Commissioner Yates seconded the motion.

Commissioner Drumheller seconded the motion.

ROLL CALL: Ayes: Nesbitt, Trumble, Drumheller, Jeffries, Yates, Griess
 Nayes:
 Abstained:
 Motion Carried

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NEB 2-11/12-7-42327 (The Complainant was present and a statement from the Respondent was read.)

Commissioner Drumheller moved for no reasonable cause.

Commissioner Jeffries seconded the motion.

ROLL CALL: Ayes: Nesbitt, Trumble, Drumheller, Jeffries, Yates, Griess
 Naves:
 Abstained:
 Motion Carried

NEB 1-11/12-1-43031 (Respondent was present.)

Commissioner Nesbitt moved for no reasonable cause.

Commissioner Drumheller seconded the motion.

ROLL CALL: Ayes: Nesbitt, Trumble, Drumheller, Jeffries, Yates
 Naves:
 Abstained: Griess
 Motion Carried

NEB 1-11/12-6-43241 (Respondent was present.)

Commissioner Drumheller moved for no reasonable cause.

Commissioner Trumble seconded the motion.

ROLL CALL: Ayes: Nesbitt, Trumble, Drumheller, Jeffries, Yates, Griess
 Naves:
 Abstained:
 Motion Carried

NEB 1-11/12-5-43179 (Respondent was present.)

Commissioner Griess moved for no reasonable cause.

Commissioner Nesbitt seconded the motion.

ROLL CALL: Ayes: Nesbitt, Trumble, Drumheller, Jeffries, Yates, Griess
 Naves:
 Abstained:
 Motion Carried

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NEB 2-12/13-10-2761-H (Complainant was present.)

Commissioner Nesbitt moved for no reasonable cause.

Commissioner Jeffries seconded the motion.

ROLL CALL: Ayes: Nesbitt, Trumble, Drumheller, Jeffries, Yates, Griess
 Nayes:
 Abstained:
 Motion Carried

The Commission took a short break.

NEB 1-12/13-8-43306

Commissioner Jeffries moved for no reasonable cause.

Commissioner Nesbitt seconded the motion.

ROLL CALL: Ayes: Nesbitt, Trumble, Drumheller, Jeffries, Griess
 Nayes:
 Abstained: Yates
 Motion Carried

NEB 1-12/13-9-43546
NEB 1-11/12-5-43192
NEB 1-12/13-7-43275
NEB 2-11/12-6-2731-H
NEB 1-12/13-9-43557
NEB 1-12/13-10-43587
NEB 2-11/12-5-42930
NEB 2-11/12-1-42847
NEB 1-11/12-6-43221

Commissioner Jeffries moved for no reasonable cause on the above cases.

Commissioner Drumheller seconded the motion.

ROLL CALL: Ayes: Nesbitt, Trumble, Drumheller, Jeffries, Yates, Griess
 Nayes:
 Abstained:
 Motion Carried

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VIII. SUCCESSFUL AGREEMENTS

NEB 2-12/13-9-2751-H

Commissioner Jeffries moved to adopt the agreements.

Commissioner Nesbitt seconded the motion.

ROLL CALL: Ayes: Nesbitt, Trumble, Drumheller, Jeffries, Yates, Griess
 Nayes:
 Abstained:
 Motion Carried

IX. ADMINISTRATIVE ACTIONS

A. WITHDRAWALS

NEB 1-12/13-8-2742-H

Commissioner Nesbitt moved to accept the Complainant's withdrawal.

Commissioner Jeffries seconded the motion.

ROLL CALL: Ayes: Nesbitt, Trumble, Drumheller, Jeffries, Yates, Griess
 Nayes:
 Abstained:
 Motion Carried

Commissioner Nesbitt moved to have the Housing Director prepare a complaint for the Commission's consideration.

Commissioner Drumheller seconded the motion.

ROLL CALL: Ayes: Nesbitt, Trumble, Drumheller, Jeffries, Yates, Griess
 Nayes:
 Abstained:
 Motion Carried

NEB 1-12/13-11-43618

NEB 3-12/13-12-43634

Commissioner Jeffries moved to accept the withdrawals.

Commissioner Nesbitt seconded the motion.

ROLL CALL: Ayes: Nesbitt, Trumble, Drumheller, Jeffries, Yates, Griess
 Nayes:
 Abstained:
 Motion Carried

B. EEOC CASES

NEB 2-11/12-12-42475
NEB 1-11/12-1-43044
NEB 1-11/12-3-43116
NEB 1-10/11-4-42222

Commissioner Jeffries moved to adopt the findings of the EEOC.
Commissioner Yates seconded the motion.

ROLL CALL: Ayes: Nesbitt, Trumble, Drumheller, Jeffries, Yates, Griess
 Nayes:
 Abstained:
 Motion Carried

C. HUD CASES

NEB 2-11/12-3-2697-H
NEB 2-11/12-4-2709-H
NEB 2-11/12-6-2730-H
NEB 2-11/12-6-2729-H

Commissioner Jeffries moved to adopt the findings of HUD.
Commissioner Yates seconded the motion.

ROLL CALL: Ayes: Nesbitt, Trumble, Drumheller, Jeffries, Yates, Griess
 Nayes:
 Abstained:
 Motion Carried

X. CONCILIATION

NEB 1-11/12-4-43145
NEB 2-10/11-2-42018

Commissioner Jeffries moved to adopt the recommendations of the Director of Conciliations.
Commissioner Trumble seconded the motion.

ROLL CALL: Ayes: Nesbitt, Trumble, Drumheller, Jeffries, Yates, Griess
 Nayes:
 Abstained:
 Motion Carried

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XI. CONCILIATION CASES TO BE CONSIDERED FOR PUBLIC HEARING

None at this time.

XII. PUBLIC HEARING

NEB 1-10/11-12-41926 Brady vs. Husker Management, Inc. d/b/a Holiday Inn Express

Commissioner Jeffries moved to administratively dismiss this case as it has been filed in court.
Commissioner Nesbitt seconded the motion.

ROLL CALL: Ayes: Nesbitt, Trumble, Drumheller, Jeffries, Yates, Griess
 Nayes:
 Abstained:
 Motion Carried

XIII. CIVIL ACTION

NEB 2-11/12-5-2716-H Hoff vs. Elsie Foos

Commissioner Trumble moved to table this case until the next meeting.
Commissioner Nesbitt seconded the motion.

ROLL CALL: Ayes: Nesbitt, Trumble, Drumheller, Jeffries, Yates, Griess
 Nayes:
 Abstained:
 Motion Carried

XIV. BUSINESS

1. Legislation

Director Albers told the Commission that LB 485 has yet to be set for a hearing. She said there was another bill which would amend the Fair Employment Practice Act. The amendment would require employers to keep records for five years. The larger part of the bill would create an act to be handled by the Department of Labor. She said that the Department of Labor has come out against the bill.

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2. Review of Previous Month's Budget Reports

Commissioner Jeffries moved to approve and accept the previous month's budget reports.
Commissioner Nesbitt seconded the motion.

ROLL CALL: Ayes: Nesbitt, Trumble, Drumheller, Jeffries, Yates, Griess
 Nayes:
 Abstained:
 Motion Carried

XV. ADJOURNMENT

Commissioner Trumble moved to adjourn the February 15, 2013 Commission meeting at 12:47 p.m.
Commissioner Nesbitt seconded the motion.

ROLL CALL: Ayes: Nesbitt, Trumble, Drumheller, Jeffries, Yates, Griess
 Nayes:
 Abstained:
 Motion Carried

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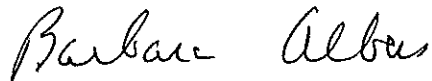
Respectfully submitted,



Cat Souliere
Staff Assistant

February 15, 2013

Date

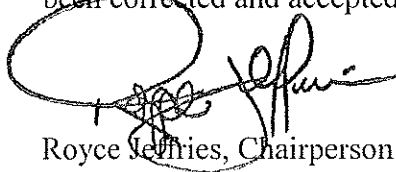


Barbara Albers
Executive Director

2-19-2013

Date

The Minutes of the Nebraska Equal Opportunity Commission meeting of February 15, 2013 have been corrected and accepted, and henceforth approved on this date.



Royce Jeffries, Chairperson

MAR 15 2013

Date